

**SB0071**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB0071**

Introduced 1/30/2009, by Sen. William R. Haine

**SYNOPSIS AS INTRODUCED:**

305 ILCS 5/5-2.08 new

Amends the Illinois Public Aid Code. Provides that the Department of Human Services, in consultation with the Department of Healthcare and Family Services, shall develop an initiative within the Home Services Program under which legally responsible adults may be reimbursed for providing care to eligible clients. Sets forth the components of the initiative. Provides that by November 1, 2009, the Department of Human Services and the Department of Healthcare and Family Services shall report their findings and recommendations to the General Assembly regarding proposed rule changes to the Illinois Administrative Code and amendatory changes to the State Medicaid Plan for the purpose of implementing the initiative. Provides that by January 1, 2010, the Department of Healthcare and Family Services shall seek federal approval to amend the State Medicaid Plan, and the Department of Human Services and the Department of Healthcare and Family Service shall submit proposed rule changes to the Joint Committee on Administrative Rules. Effective immediately.

LRB096 03283 DRJ 13301 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 5-2.08 as follows:

6 (305 ILCS 5/5-2.08 new)

7 Sec. 5-2.08. Family member caregiver initiative.

8 (a) The Department of Human Services, in consultation with  
9 the Department of Healthcare and Family Services, shall develop  
10 an initiative within the Home Services Program under which  
11 legally responsible adults may be reimbursed for providing care  
12 to eligible clients. The components of the initiative shall  
13 include the following:

14 (1) Authorization for legally responsible adults to be  
15 reimbursed for care provided by them to family members  
16 under the Home Services Program.

17 (2) Client-centered procedures ensuring that the needs  
18 and wishes of the client are addressed.

19 (3) Requirements for proper and adequate training for  
20 the legally responsible adult caregivers and supervision  
21 of the caregivers.

22 (4) Utilization of the Determination of Need  
23 evaluation, or a diagnosis of a terminal illness by a

1 medical professional, or both, as criteria for determining  
2 eligibility under the initiative.

3 (5) Measures for preventing fraud and abuse in  
4 connection with the operation of the initiative.

5 (6) An appropriate wage or rate of reimbursement for  
6 legally responsible adult caregivers.

7 (b) By November 1, 2009, the Department of Human Services  
8 and the Department of Healthcare and Family Services shall  
9 report their findings and recommendations to the General  
10 Assembly regarding proposed rule changes to the Illinois  
11 Administrative Code and amendatory changes to the State  
12 Medicaid Plan for the purpose of implementing the initiative  
13 under subsection (a). The report shall include an explanation  
14 of the manner in which each initiative component listed in  
15 paragraphs (1) through (6) of subsection (a) is addressed in  
16 the proposed changes. In addition, the report shall include (i)  
17 the estimated number of clients who could utilize services  
18 under the proposed rule changes and (ii) an analysis of the  
19 fiscal impact of the proposed rule changes, per client, on the  
20 Departments' new and existing costs under the Home Services  
21 Program.

22 (c) By January 1, 2010, the Department of Healthcare and  
23 Family Services shall seek federal approval to amend the State  
24 Medicaid Plan for the purpose of implementing the initiative  
25 under subsection (a), and the Department of Human Services and  
26 the Department of Healthcare and Family Service shall submit

1 proposed rule changes for that purpose to the Joint Committee  
2 on Administrative Rules.

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.